



August 31, 2012

VIA CM/ECF FILING ONLY

Honorable Lynn Adelman
Eastern District of Wisconsin
United States District Court
517 East Wisconsin Avenue, Room 364
Milwaukee, WI 53202

Re: Steven Avery v. Gerald A. Pagel, et al.
Case No. 12-CV-0192

Dear Judge Adelman:

On August 2, 2012 these Defendants filed a motion to dismiss with this Court pursuant to FRCP 12(c) and 12(h)(2), and served the same on Plaintiff at the address provided. (See Docket Nos. 26, 27 and attached certificates of service.) The motion and supporting materials sought dismissal of the entirety of Plaintiff's lawsuit on a variety of grounds including qualified immunity and failure to state a claim. Under Local Rule 7(b) and FRCP 6(d), Plaintiff had 24 days in which to file a response brief (21 days plus 3 days for mailing). Thus, Plaintiff's response brief on the motion to dismiss was due on, or before, August 27, 2012. Plaintiff has not filed a response brief nor has Plaintiff sought leave of this Court for an extension of time in which to file a response brief. Local Rule 7(d) provides that "Failure to file a memorandum in opposition to a motion is sufficient cause for the Court to grant the motion." Thus, pursuant to Local Rule 7(d), Defendants request that this Court grant Defendants' motion to dismiss, with prejudice.

Respectfully submitted,

s/ Ronald S. Stadler

State Bar No. 1017450

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cc: Steven Avery (via U.S. Mail)

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2012, I electronically filed the foregoing correspondence with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the foregoing document to the following non-CM/ECF participant:

Steven Avery #122987
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P.O. Box 9900
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s/ RONALD S. STADLER